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By Overnight Delivery

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: Docket No. 99-00784:
In Re: Area Code Conservation Measures In Tennessee

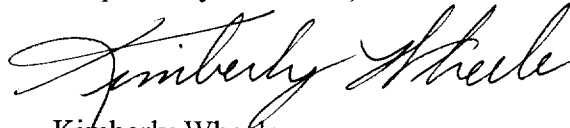
Report of The North American Numbering Plan Administrator
on Behalf of the Tennessee Telecommunications Industry
Regarding the Request to Develop An Industry Voluntary
Allocation Plan

Dear Mr. Waddell:

Enclosed please find an original and thirteen (13) copies of the Report of The North American Numbering Plan Administrator on Behalf of the Tennessee Telecommunications Industry Regarding the Request to Develop An Industry Voluntary Allocation Plan. Please date-stamp the enclosed return copy as received and return it in the attached self-addressed stamped envelope.

If you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,



Kimberly Wheeler
Counsel for NeuStar, Inc.
North American Numbering Plan Administrator

Enclosures

dc-191397

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**Before the
TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee 37243-0505**

IN RE:

**AREA CODE CONSERVATION
MEASURES IN TENNESSEE**

DOCKET NO. 99-00784

**REPORT OF THE
NORTH AMERICAN NUMBERING PLAN ADMINISTRATOR
ON BEHALF OF THE TENNESSEE TELECOMMUNICATIONS INDUSTRY
REGARDING THE REQUEST TO DEVELOP AN INDUSTRY VOLUNTARY
ALLOCATION PLAN**

The North American Numbering Plan Administrator NeuStar, Inc. (formerly Lockheed Martin IMS)¹ ("NANPA"), in its role as the neutral third party NPA Relief Planner for Tennessee under the North American Numbering Plan ("NANP") and on behalf of the Tennessee telecommunications industry ("Industry"),² reports to the Tennessee Regulatory Authority ("Authority") the results of an Industry meeting, held at the request of the Authority, regarding the development of voluntary NXX code assignment allocation

¹ The North American Numbering Plan Administration and other numbering functions have been transferred from Lockheed Martin IMS to NeuStar, Inc. The Federal Communications Commission approved the transfer on November 17, 1999. *Request of Lockheed Martin Corporation and Warburg, Pincus & Co. for Review of the Transfer of the Lockheed Martin Communications Industry Services Business*, Order, FCC 99-346 (Nov. 17, 1999). The transaction closed on November 30, 1999.

² The Industry is composed of current and prospective telecommunications carriers operating in, or considering operations within, the state of Tennessee.

FILE

plans for the 615 and 901 Numbering Plan Areas (“NPAs”). By consensus decision, the Industry decided not to adopt a voluntary allocation plan for either the 615 or the 901 NPAs.³

I. BACKGROUND

On June 14, 1999, NANPA notified Industry members and the Authority that NPA relief planning for the 615 area code needed to be addressed. The 1999 Central Office Code Utilization Survey (“COCUS”) projections for central office (NXX) code utilization indicated that the 615 NPA will exhaust during the fourth quarter of 2000. Members of the Industry met on July 27, 1999 in Nashville, Tennessee to discuss relief alternatives. The Industry participants unanimously decided to recommend to the Authority an all services distributed overlay as the preferred form of relief for the 615 NPA. On August 31, 1999, NANPA filed a letter with the Authority notifying the Authority of the Industry’s recommended relief plan.⁴ On October 15, 1999, the Authority requested that all affected telecommunications service providers and cooperatives in Tennessee consider taking voluntary measures towards area code conservation, including, but not limited to, voluntarily relinquishing any non-utilized NXX codes.

Subsequently, NANPA notified the Authority that a reduction in the demand for NXX codes and the reclamation of NXX codes extended the projected life of the 615 NPA from fourth quarter 2000 to first quarter of 2003.⁵ During a regularly scheduled Authority

³ As the neutral third party administrator, NANPA has no independent view regarding the Industry’s decision.

⁴ Letter from Ben Childers, NPA Relief Planner – NANPA to David Waddell, Executive Secretary, Tennessee Regulatory Authority (Aug. 31, 1999).

⁵ Letter from Sandy Tokarek, Senior NPA Relief Planner – Central Region, NANPA to David Waddell, Executive Secretary, Tennessee Regulatory Authority (Dec. 2, 1999). The letter noted that the demand for NXX codes could increase and change the projected exhaust date.

Conference held on December 7, 1999 for the purpose of reviewing the current status of area code conservation measures in the 615 and 901 NPAs, the Authority issued a request to NANPA to conduct a meeting of all Tennessee telecommunications service providers for the purpose of developing an industry voluntary allocation plan for NXX code assignment in the 615 and 901 area codes, with the objective of the plan to extend the life of both the 615 and 901 area codes until the fourth quarter of 2003, at a minimum. The Authority also requested NANPA to report back to the Authority at the first Authority Conference in February 2000 on its meeting and the developments concerning the industry voluntary allocation plan.⁶

II. RESULTS OF THE INDUSTRY MEETING

Pursuant to the Authority's request, NANPA conducted an Industry meeting on January 12, 2000.⁷ At the January 12 meeting, the Industry decided, by consensus, not to adopt a voluntary NXX assignment allocation plan for the 615 or the 901 at this time for several reasons: 1) an allocation plan stifles competition whenever service providers are not able to obtain sufficient NXX codes to provide service to customers; 2) there is no requirement that all carriers comply because a voluntary allocation plan is not an enforceable industry guideline and therefore is potentially discriminatory; and 3) an allocation plan does not reduce the demand for central office codes, it simply defers that demand to a future date thereby creating pent-up demand and the problems which accompany the satisfaction of pent-up demand. In addition, the Industry noted that due to the projected exhaust date for the 615

⁶ Request to the North American Numbering Plan Administrator to Develop an Industry Voluntary Allocation Plan and to Provide Periodic Reports to the Tennessee Regulatory Authority on NXX Code Requests, In re Area Code Conservation Measures in Tennessee, Docket No. 99-00784 (Dec. 10, 1999).

⁷ A copy of the meeting minutes and a list of attendees are attached as Exhibit A.

NPA of first quarter 2002,⁸ there is sufficient time to introduce relief without jeopardy allocation.⁹ The Industry encourages the Authority to act upon the Industry's pending recommended relief plan for the 615 NPA before the rationing of NXX codes is necessary.

The Industry noted that since NANPA has projected the 901 NPA to exhaust in the near-term, jeopardy rationing is likely to be implemented under industry guidelines. Such a plan will be enforceable by NANPA pursuant to industry guidelines and will provide better protection against NXX depletion. Therefore, a voluntary allocation plan would not be necessary.

III. SUBSEQUENT INFORMATION

The 1999 COCUS January 18, 2000 Update was issued after the January 12 industry meeting. This COCUS update was developed based upon NXX code assignment history as of December 1, 1999. NXX code activity for December and January was not incorporated into this COCUS update. The 615 NPA exhaust date was moved from fourth quarter 2000 to

⁸ This updated projection does not take into account the assignment of 21 NXX codes in December or the recent return of NXX codes which are considered unavailable until they are removed from the Local Exchange Routing Guide ("LERG"). The Industry noted that the recent return of NXX codes may further extend the projected exhaust date of the 615 NPA. The effect of the returned NXX codes is uncertain because the exact number of returned NXX codes cannot be ascertained until the codes are removed from the LERG – generally within 66 days from the date of return.

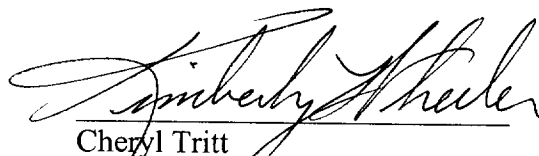
⁹ Pursuant to the Central Office Code (NXX) Assignment Guidelines, "a jeopardy condition exists when the forecasted and/or actual demand for NXX resources will exceed the known supply during the planning/implementation interval for relief." Central Office Code (NXX) Assignment Guidelines at n. 20 (INC 95-0407-008, Aug. 30, 1999) ("CO Code Guidelines"). Furthermore, "unique circumstances within a given jeopardy NPA may require extraordinary NPA-specific conservation procedures." *Id.* at §9.5. Interim jeopardy procedures, which provide for the assignment of only three NXX codes per month, are implemented immediately upon the declaration of Extraordinary Jeopardy. Under the CO Code Guidelines, the interim procedures continue in effect until the Industry agrees on the terms of the Final Jeopardy Procedures, including the number of monthly NXX assignments. The Central Office Code (NXX) Guidelines can be accessed on the ATIS Web site located at <<http://www.atis.org/atis/clc/inc/incdocs.htm>>.

fourth quarter 2002. The 901 NPA projected exhaust date was moved from third quarter 2002 to first quarter 2002.¹⁰

IV. CONCLUSION

For the foregoing reasons, NANPA notifies the Authority that the Industry decided not to adopt voluntary NXX allocation plans for the 615 or the 901 NPA.

Respectfully submitted,



Cheryl Tritt
Kimberly Wheeler

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Counsel for NeuStar, Inc.
North American Numbering Plan Administration

January 28, 2000

¹⁰ In December 1999, twenty-one NXX codes were issued in the 615 NPA and thirty NXX codes were issued in the 901 NPA. Recently, forty-one NXX codes have been identified for return and will be available for assignment (referenced in Footnote 5). These recent assignments and returns have not been incorporated into the updated exhaust analysis. At the request of industry representatives NANPA reviewed the new data and concluded that there is insufficient new information to change, with reasonable confidence, the current 1999 COCUS January 18, 2000 Update exhaust projections for the 615 and the 901 NPAs.

Minutes
Tennessee NXX Voluntary Allocation
Meeting for 615 and 901 NPAs
January 12, 2000

WELCOME AND INTRODUCTIONS

Mr. Ben Childers, NPA Relief Planner, NeuStar, Inc. (formerly Lockheed Martin IMS) opened the meeting with introductions and explained that the Tennessee Regulatory Authority (Authority) in Docket No. 99-00784, issued December 10, 1999, requests that:

- 1) The North American Number Plan Administrator ("NANPA") conduct a meeting of all telecommunications service providers for the purpose of developing an industry volunteer allocation plan for NXX assignments in the 615 and 901 area codes, with the objective of the plan to extend the life of both the 615 and 901 area codes until the fourth quarter of 2003. The Authority requests that the NXX assignment allocation be limited to five (5) per month, and that,
- 2) NANPA report to the Authority, at the Authority's first conference in February 2000, the developments concerning the industry volunteer allocation plan;

It was determined that the first Authority meeting in February is February 1st. A list of attendees follows at the end of this document.

REVIEW NEUSTAR ROLE

Mr. Childers explained that this meeting is beyond the NANPA guidelines and is facilitating the meeting at the request of the Authority. A question was asked about whether this meeting was being held as an enterprise service¹. Mr. Childers explained that this meeting is not viewed by NANPA to be an enterprise service and that **NANPA is a neutral third-party entity that is arranging, coordinating, and facilitating this meeting at the request of the Authority and holds no independent view on the outcome.**

Mr. Childers stated that the ATIS (Alliance for Telecommunications Solutions) approved industry consensus process will be followed. He read the consensus definition explaining the consensus process and how consensus is determined.

¹ Enterprise services are services not described elsewhere in the NANPA *Requirements Document* that may be provided by NANPA for a specific fee. Enterprise services and their associated fees are subject to prior approval by North American Numbering Council (NANC).

STATUS OF THE 615 AND 901 NPAs

Ms. Cheryl Dixon of NANPA Code Administration gave a brief history of code assignments in each NPA and an update as of this date on the number of available codes as follows:

615 NPA Code Assignment History since July, 1999:

July 1999	5	codes
August 1999	5	codes
September 1999	6	codes
October 1999	2	codes
November 1999	3	codes
December 1999	21	codes

615 NPA Available Codes as of January 12, 2000:

Available codes:	221
Number of Protected Codes:	4
Number of Reserved Codes:	2
Number of Codes on Hold:	1
Number of Test Codes:	5
Number Unavailable:	66

Ms. Dixon stated that the average demand per month is 7 codes per month over this 6-month period in the 615 NPA. Ms. Dixon also explained that the large number of the unavailable codes are as a result of the return of unused codes and those codes will be returned to the available pool once they are removed from the Local Exchange Routing Guide (LERG).²

901 NPA Code Assignment History since July, 1999:

July 1999	2	codes
August 1999	5	codes
September 1999	10	codes
October 1999	4	codes
November 1999	12	codes
December 1999	30	codes

901 NPA Available Codes as of January 12, 2000:

Available codes:	185
Number of Protected Codes:	38
Number of Reserved Codes:	3
Number of Codes on Hold:	3
Number of Test Codes:	9
Number Unavailable:	18

² The exact number of returned codes was not available at this time. The codes generally become available within 66 days from the date of the code return.

Ms. Dixon stated that the average demand per month is 10.5 codes per month over this 6-month period in the 901 NPA. A question was asked about whether there is any identifiable reason for the surge in code assignments in December and Ms. Dixon explained that there was no particular reason for the surge, such as a new entrant seeking codes to provide service, and that no one particular industry segment requested the codes.

Authority staff asked if NANPA could provide a list of the names of code holders who requested NXX codes in December and Ms. Dixon stated that she could provide that information when it becomes publicly available in the LERG.

AUTHORITY REQUEST TO DEVELOP A VOLUNTARY NXX ALLOCATION PLAN

Mr. Childers began the discussion by asking whether the industry wishes to develop voluntary NXX allocation plans for the 615 and 901 NPAs according to the Authority request.

A question was asked about whether there will be a charge for administration of an NXX allocation plan since there is a charge for the lottery service in California (CA). It was noted that there is no charge for the voluntary NXX allocation plan in the Texas 409 NPA. Mr. Jim Deak, NANPA Regional Director, explained the CA lottery was previously handled by the CA Public Service Commission and there are more steps involved in the CA lottery than a normal code administration process such as jeopardy or code request. Mr. Deak explained that NANPA reserves the right to examine any NXX allocation plan once it is adopted to determine whether an additional charge would be required to implement the plan.

Discussion took place by the industry about whether to approve a voluntary NXX allocation plan in the 615 and 901 NPAs.

A question was asked about the enforceability of a voluntary NXX allocation plan and Ms. Dixon explained NANPA must adhere to the industry guidelines when NXX codes are requested. Ms. Dixon explained that NANPA Code Administration would apply the voluntary procedures as approved by the industry. However, without jeopardy procedures in place, should a service provider insist on something outside the voluntary plan, NANPA cannot deny that request.

The industry reached consensus that no voluntary NXX allocation plan would be adopted for either the 615 or 901 NPAs at this time for the following reasons:

615 NPA:

- There is no jeopardy contemplated at this time. A mid-course NANPA exhaust projection, expected to be released at the January meeting of the NANC, is 1Q2002.³ This exhaust projection does not take into account the recently returned codes that are now considered unavailable or the 21 codes assigned in December.
- A relief plan is currently before the Authority but no area code relief plan has been ordered or scheduled.

³ The 1999 COCUS, January 18, 2000 Update, was subsequently issued with the 615 NPA exhaust date of 4Q2002.

- Allocation plans may stifle competition because service providers may not be able to get the codes they need to provide service to customers.
- A voluntary NXX allocation plan is potentially discriminatory because it is not enforceable within industry guidelines. Some service providers may abide by the agreement and not be able to get codes while others do not abide the agreement and can receive codes outside of the plan.
- Allocation plans can create pent-up demand at the time of relief because the demand for codes within the NPA does not change because of the monthly allocation. Allocation of NXX codes does not reduce demand.
- The number of available codes will increase when returned codes are removed from the LERG.

A question was asked about whether number pooling will be introduced in the NPA. Authority staff stated that they have requested number pooling authority and plan to work expeditiously with the industry toward number pooling once the petition is granted. It was noted by an industry member that generally the industry has taken the position that number pooling does not put off the need for relief in an NPA and is most effective when done concurrently with or just after implementation of relief.

901 NPA:

- There are currently 185 NXX codes available with an average demand of 10.5 codes per month. Therefore, the industry believes that because there are only enough codes to meet the average demand for less than 2 years, jeopardy may be declared by NANPA in the near future.
- If jeopardy is declared, a jeopardy plan provides better protection against NXX code depletion than a voluntary NXX allocation plan because it is enforceable by NANPA.
- The proposed NXX allocation plan is based upon a jeopardy plan so any effort to approve a plan today will only be duplicated if/when jeopardy is declared by NANPA.
- Allocation plans may stifle competition because service providers may not be able to get the codes they need to provide service to customers.
- A voluntary NXX allocation plan is potentially discriminatory because it is not enforceable within industry guidelines. Some service providers may abide by the agreement and not be able to get codes while others do not abide the agreement and can receive codes outside of the plan.
- Allocation plans can create pent up demand at the time of relief because the demand for the codes does not change because of the monthly allocation. Allocation of NXX codes does not reduce demand.

Ms. Dixon stated that activity has not been consistent in the 901 NPA and NANPA is constantly reviewing all NPAs for changes in code demand. She explained that no determination has yet been made by NANPA to declare jeopardy in the 901 NPA.

A question was asked about the forecast that was used to determine the current projected exhaust date for the 901 NPA and Mr. Deak explained that the current NANPA projection shows an average annualized demand of 100 codes.

ACTION ITEMS

- Authority staff requested that NANPA staff be present at February 1st Authority meeting. Mr. Childers stated that NANPA staff would be present.
- NANPA to provide up-to-date data including January code assignment information at the February 1st Authority meeting.
- NANPA to provide the Authority with a list of the names for all code holders who requested NXX codes in December 1999 when that information is publicly available in the LERG.

APPROVAL OF MINUTES AND COMMISSION FILING

Conference call to approve the draft meeting minutes and Authority filing was scheduled for Tuesday January 25, 2000 at 3:00 PM Central Time, dial in: 612-335-3420 [8816*] (35 ports for 2 hours).

ATTENDEE LIST

Bill Brown	BellSouth Cellular
Kelly Faul	MCI Worldcom
Bea McKoy	US LEC
Stephen Dupuy	CenturyTel
Anne Henderson	AT&T
Jerry Jones	BellSouth Comm.
Randy Hudson	BellSouth
Douglas A. McCullough	BellSouth Comm.
Mike Bentley	Arch Communications
Keith Edwards	GTE
Karen Hawkins	BellSouth Comm.
Debbie Ruffin	GTE Wireless
Kathy Rogers	GTE Wireless
Ellen Bryson	Tennessee Telecommunications Assoc.
Bill Hind	Adelphia Business Solutions
Sybil Douthat	BellSouth Comm.
Isaiah Dalton	BellSouth
Susan Kelly	BellSouth
Eddie Roberson	Tennessee Regulatory Authority
Richard Collier	Tennessee Regulatory Authority
Lewis DeBoard	Tennessee Regulatory Authority
Richard Guepe	AT&T
Terry Newkirk	Time Warner Telecom
John Feehan	TDS Telecom
Cheryl Dixon	NANPA Code Administration
Dora Wirth	NANPA Code Administration
Jim Deak	NANPA Relief Planning
Sandy Tokarek	NANPA Relief Planning
Ben Childers	NANPA Relief Planning
Linda Hymans	NANPA Relief Planning

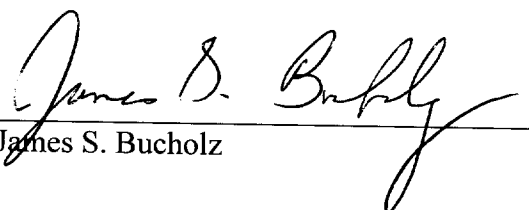
CERTIFICATE OF SERVICE

I, James S. Bucholz, do hereby certify that the foregoing **REPORT** was delivered, by First Class Mail, on this 28th day of January, 2000, to the following:

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James S. Bucholz